

Former Art. 27, § 302(d), which provided that the provisions of the former subheading be applicable to violations of law, seizures and forfeiture, injunctive proceedings, administrative proceedings and investigations that occur following its effective dates, is deleted as obsolete. Similarly, former Art. 27, § 302(e), which required any orders, rules, and regulations that had been promulgated under any law affected by the former subheading and that were in effect on June 30, 1970, to continue in effect until modified, superseded, or repealed by the Department, is deleted as obsolete.

TITLE 6. CRIMES AGAINST PROPERTY.

SUBTITLE 1. ARSON AND BURNING.

6-101. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection formerly was Art. 27, § 5(a).

The only changes are in style.

(B) DWELLING.

(1) "DWELLING" MEANS A STRUCTURE ANY PART OF WHICH HAS BEEN ADAPTED FOR OVERNIGHT ACCOMMODATION OF AN INDIVIDUAL, REGARDLESS OF WHETHER AN INDIVIDUAL IS ACTUALLY PRESENT.

(2) "DWELLING" INCLUDES A KITCHEN, SHOP, BARN, STABLE, OR OUTBUILDING THAT IS A PARCEL TO, BELONGS TO, OR ADJOINS THE DWELLING.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 5(b).

In paragraph (2) of this subsection, the reference to an "outbuilding" is substituted for the former reference to an "outhouse" for clarity.

Also in paragraph (2) of this subsection, the phrase "or parcel to" is retained for consistency with case law concerning arson, although the phrase "part of" may be an accurate and more modern substitute. The term "parcel" in this sense is only used in § 2-201(a)(4)(ii)1 of this article, relating to murder in the first degree involving arson. In § 8-701 of this article, relating to embezzlement involving certain documents, the reference to "part of" a document is substituted for the former reference to a "parcel of" a document. The Criminal Law Article Review Committee brings the retention of the original term in this section to the attention of the General Assembly.

(C) MALICIOUSLY.